



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER
Executive Director

KENT L. JONES
State Engineer/Division Director

November 12, 2013

Curtis Pledger
USBR Provo Area Office
302 E 1860 S
Provo, UT 84606

Dear Curt:

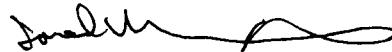
We appreciate the effort and input from you and others at Reclamation this year as we have dealt with issues regarding operation of the Weber-Provo Canal. As we have discussed, we see the Bureau playing a critical role in the management of waters on the Weber River as it relates to Bureau projects. When we met recently with Wayne Pullan and Justin Record, we agreed to put together a list of operational issues in which we would like input from your office. In time we may need additional guidance, but here are some of the issues we have identified based on our experience this year.

1. In order to optimize storage under the various Bureau rights, decisions needs to be made each year about when to start diverting, and how much to divert, under Deer Creek Water Right 35-8737 (A9569), keeping in mind that Echo Water Right 35-8739 (A9568) is supposed to be satisfied first. As the owner of both of these rights, we see the Bureau playing a critical role each year in helping make these decisions.
2. It is a little unclear how Water Right Number 35-8756 (A12141), which allows for Weber River water to be stored in Utah Lake, has been historically used. We are interested how you see this right playing into the future operation of Bureau projects.
3. The question has arisen about where to measure water conveyed in the Weber-Provo Canal. For several years this water has been measured at the end of the canal, but early on in project history flows were measured near the Weber River diversion and, for a couple of years, also at the Beaver Creek diversion. Common distribution practice and the power contract both suggest that the flow should be measured near the diversions into the canal. We are interested in your input on this matter.
4. We understand that Echo rights are to be satisfied before Deer Creek rights, but we also understand that power water is to be split 50/50. These two ideas conflict with each other in dry years when Echo does not fill. As such, we would like some clarification about how to divide power water in dry years.
5. Delivery of Echo share holder water to the Provo River has, if I understand correctly, been coordinated between the two commissioners with a limited amount of input from the water users. At times this has resulted in Echo share holder water being delivered when it was not necessarily needed. Cooperation between the commissioners will continue to be crucial, but we also see a need for the water users and the Bureau to provide additional input regarding these deliveries.

6. Divertible Flow Studies sponsored by the Bureau indicate that minimum flows to the Ogden Bay Bird Refuge would be provided from water originating above Echo Dam. But our understanding is that any shortage of water to the bird refuge is currently provided from Willard Bay. We would like some clarification as to whether there is any Bureau water originating above Echo Dam that is or could be called by the bird refuge.
7. Deer Creek Water Right 35-8737 (A9569) is certificated for 136,500 acre-feet per year, but commissioner records show that annual diversions under this water right have likely never exceeded about 65,000 acre-feet. As water demands on the Provo side increase, this water right could potentially divert more water than has historically been used. Since this would impact water available under the Weber Basin Project, we will be looking to the Bureau for guidance in balancing the needs under its various projects.
8. Smith and Morehouse Reservoir has essentially the latest priority right on the Weber River. Questions have been raised regarding storage in Smith and Morehouse when some Bureau water rights have not been satisfied. Although the Bureau does not own the water rights to Smith and Morehouse, the Bureau does own the water rights just senior to or equal in priority to the Smith and Morehouse rights. We will be looking to your office for guidance on the operation of these Bureau rights that may conflict with desired storage in Smith and Morehouse.

Thank you once again for your efforts and willingness to step up and help us deal with these important issues.

Sincerely,



Jared Manning, P.E.
Assistant State Engineer

cc:

Reed Cozens
Weber River Commissioner
PO Box 151
Layton, UT 84041